



UNITED STATES MARINE CORPS

MARINE CORPS BASE
QUANTICO, VIRGINIA 22134.5001

MCBO 5500.2
C 052/k
23 Mar 95

MARINE CORPS BASE ORDER 5500.2

From: Commanding General
To: Distribution List

Subj: DETENTION OF CIVILIANS

Ref: (a) Navy Regulations, 1990, art. 0809 (NOTAL)
(b) MCCDCO 1752.1A
(c) MCCDCO 5370.2

1. Purpose. To establish the authority, per reference (a), of various officers to effect detention of any person not in the armed services of the United States who is found under incriminating or irregular circumstances aboard the Marine Corps Base, Quantico, VA.

2. Cancellation. MCCDCO 5500.2A.

3. Summary of Revision. This revision contains the following changes:

a. Paragraph 5a. Adds persons who are believed to have attempted to commit an offense.

b. Paragraph 5d. Adds commissions or attempted commissions of offenses under the laws of the Commonwealth of Virginia.

c. Paragraph 5e. Deletes juveniles from the list of persons not subject to being photographed or fingerprinted.

d. Paragraph 5g. Clarifies the limits of permissible searches incident to a detention.

4. Scope. The procedures established by this Order are for guidance only. Failure to strictly comply with its provisions will not necessarily render any detention, or any search incident to that detention, unlawful.

5. Action

a. Any person who is not in the armed services of the United States, and is found under incriminating or irregular circumstances, will be kept under restraint or surveillance by authorized personnel as required under the circumstances. Any such detention or surveillance should be based upon a reasonable belief that the person so detained is either a fugitive from justice or has

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committed or attempted to commit an offense punishable under the laws of the United States or the Commonwealth of Virginia.

b. At any time a person is so detained, notification must immediately be made to the Provost Marshal's Office (PMO), or **PMO's** delegate, who will conduct an investigation to determine whether or not the person detained is a fugitive from justice or has committed or attempted to commit an offense punishable under the laws of the United States or the Commonwealth of Virginia.

c. Should the investigation indicate that the detained person is not a fugitive from justice and has not committed or attempted to commit an offense, he/she will be released at the earliest opportunity.

d. If the investigation indicates that such person has committed or attempted to commit an offense punishable under the laws of the United States or the Commonwealth of Virginia, and is a juvenile military dependent, the procedures prescribed by reference (b) will be employed.

e. If the investigation indicates that the detained person is a fugitive from justice or has committed or attempted to commit an offense which requires action beyond the authority of the CG MCB, as set forth in reference (c), the **PMO** will, at the first opportunity, deliver such person, with full descriptive data, fingerprints, and a statement of the circumstances, to the proper civil authorities.

f. When a person is detained per this Order, he/she may be searched for weapons or evidence of the suspected offense which may be destroyed by the detainee. The search may be made of the individual only. In the event the detainee is female, the search should be delayed, if possible, until the arrival of female personnel acting on behalf of the detaining authority.

g. When the person detained is in a vehicle, a military policeman can search for weapons or destructible evidence within the immediate control of a person who has been detained if the military policeman has a reasonable belief that the person stopped is dangerous and may gain immediate control of a weapon. If contraband is viewed in the vehicle by the military policeman in the course of this detention, said contraband may be seized. If apprehension of the driver or passenger results, the entire passenger compartment of the vehicle, to include any containers therein (including the unlocked glove compartment), may be searched incident to the apprehension. Thereafter, the car should be impounded and its contents inventoried per Security Battalion's SOP.

h. The officers listed below are authorized to detain any person **not** in the armed services of the United States found under

circumstances contemplated by subparagraph **5a**, above. Officers so authorized may delegate this authority to persons detailed to their internal security or interior guard.

- (1) CG MCB.
- (2) Director, Training and Education Division.
- (3) Commanding Officers.
- (4) Director, Morale, Welfare and Recreation Division.
- (5) Marine Corps Exchange Officer.
- (6) Commissary Officer.


M. C. BUNTON
By direction

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